IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL.

Writ Petition No. 1519 (S/S) of 2005

1. Naresh Gupta, son of late Sri Inder Mal, resident of Vikas Nagar, Chandola Bhawan, Pauri.
2. Srikrishan Prasad Sharma, son of late Sri Jyoti Prasad Sharma, resident of Jal Nigam Colony, Pauri.
3. Mr. Shermal, son of late Sri Nageshwar, resident of Jal Nigam Colony, Pauri.

…….. Petitioners.

Versus.

1. Uttaranchal Pey Jal through its Managing Director, Dehradun, Uttaranchal.
2. Chief Engineer, Uttaranchal Pey Jal Nigam, Dehradun.
3. U.P. Jal Nigam through its Managing Director, 6, Rana Pratap Marg, Lucknow.

…… Respondents.

Hon'ble M.M. Ghildiyal, J.:

Heard Sri S.S. Chauhan, learned counsel for the petitioner, Sri D.S. Patni, learned counsel for respondents on. 1 and 2 and Sri Sudhir Singh, learned counsel for respondent no. 3.

Petitioners, who are Junior Engineer in the Uttaranchal Pey Jal Nigam, have challenged the orders dated 30.09.2005 and 04.10.2005 passed by Managing Director, Uttaranchal Pey Jal Nigam (Annexures no. 1 to 3 to the writ petition) by which the petitioners have been transferred for U.P. Jal Nigam.

The submission of the petitioners is that since the date of their appointments in the department they are continuously working in the hill areas and the children of the petitioners are studying in State of Uttaranchal and in case, they are relieved

for U.P. Jal Nigam, in the mid session they will have to face a lot of difficulties and their whole family will be disturbed.

Learned counsel for the respondents has submitted that petitioners have already been relieved for U.P. Jal Nigam and they were not members of Hill Sub Cadre. Petitioners have already made a representations dated 03.10.2005 and 04.10.2005 (which are annexures no. 4 to 6 to the writ petition) before respondent no. 1.

Without going into the merit of the case, I direct the respondent no. 1 i.e. Managing Director, Uttaranchal Pey Jal Nigam to take final decision on the petitioners' representation within a period of three weeks from the date of production of certified copy of this order. Till the decision is taken on petitioners' representation, petitioners shall not be relieved, in case they have not already been relieved.

With this direction the writ petition is disposed of. No order as to costs.

(M.M. Ghildiyal, J.)

October 18, 2005
SK Sharma